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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-37306-2023 (O&M)

Date of decision : 02.11.2023

Suman Goyal

...Petitioner(s)

Versus

Union Territory, Chandigarh

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rahul Sharma-I, Advocate,
for the petitioner.

Mr. J.S. Toor, APP, U.T. Chandigarh.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of pre-arrest bail to the petitioner in FIR No.27 dated 01.02.2021, under Section 420 of the Indian Penal Code, 1860 (for short, '*the IPC*'), registered at Police Station Sector 26 (East), Chandigarh.

2. Allegations are that the petitioner along with her co-accused cheated the complainant and other victims to the tune of Rs.70,00,000/-, on the pretext of sending them abroad.

3. This Court, on 02.08.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

*“Contends inter alia that petitioner is a housewife
and has no concern with the alleged amount.*

Notice of motion.

Mr. J.S.Toor, APP, UT, Chandigarh, assisted by IO/SI Karam Singh, accepts notice on behalf of the respondent and seeks time to have instructions and/or file written response in the matter.

Mr. Hunarveer Sharma, Advocate for Mr. Harneet Singh Oberoi, Advocate has filed Memo of Appearance on behalf of the complainant-Munish Chaudhary.

Posted for 11.08.2023.

ASI Subhash Chand (the then Investigating Officer) be present for assistance in the matter on the date fixed.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of her arrest, the Arresting Officer would admit her to interim bail in the present case, till the next date of hearing, on her furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

4. Contends that in terms of the aforesaid order, petitioner has already joined investigation and her custodial interrogation is not required.

5. Above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

6. In view of above, interim order dated 02.08.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Disposed off accordingly.

02.11.2023
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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No